

EXHIBIT A

From: Steven.Cherny@lw.com [mailto:Steven.Cherny@lw.com]
Sent: Fri 6/23/2006 7:32 PM
To: JDay; edward.reines@weil.com
Cc: don.dunner@finnegan.com; don.burley@finnegan.com; cnaples@kenyon.com; jshaw@ycst.com; jingersoll@ycst.com; msquire@ycst.com; steven.anzalone@finnegan.com; DAVID.NELSON@lw.com; Sasha.Mayergoyz@lw.com; David.McKone@lw.com; Sean.Pak@lw.com; MCarniaux@kenyon.com; Sonal.Mehta@weil.com; jessica.davis@weil.com; ron.myrick@finnegan.com; john.williamson@finnegan.com
Subject: Telcordia cases

John:

Your statement is hard to understand given the Defendants' consistent course of not sending repetitive responses to questions posed to all three. Ed posed good and reasonable questions prior to your arbitrary deadline and I, for one, was interested in your responses to those questions hoping that they would facilitate a resolution.

Instead of responding, you chose to contact the Court and, but for Ed's second set of inquiries, it appears you were not going to apprise the Defendants of that contact or the substance of your conversation with the judge's secretary.

You still have not responded to Ed's questions other than to refer the Defendants to your motion -- which does not respond to those questions.

I am disappointed in Telcordia's failure to meet and confer in good faith on this issue. We will respond to your motion and bring these disturbing facts to the Court's attention.

Regards

Steve

-----Original Message-----

From: JDay <jday@ashby-geddes.com>
To: edward.reines@weil.com <edward.reines@weil.com>
CC: anemiroff@kenyon.com <anemiroff@kenyon.com>; apoff@ycst.com <apoff@ycst.com>; bershskowitz@kenyon.com <bershskowitz@kenyon.com>;

6/26/2006

cnaples@kenyon.com <cnaples@kenyon.com>; Farnum, David (DC); Nelson, David (CH); don.burley@finnegan.com <don.burley@finnegan.com>; don.dunner@finnegan.com <don.dunner@finnegan.com>; etse@kenyon.com <etse@kenyon.com>; geoff.mason@finnegan.com <geoff.mason@finnegan.com>; griff.price@finnegan.com <griff.price@finnegan.com>; houtan.esfahani@finnegan.com <houtan.esfahani@finnegan.com>; james.hammond@finnegan.com <james.hammond@finnegan.com>; jblumenfeld@mnat.com <jblumenfeld@mnat.com>; jim.wilson@finnegan.com <jim.wilson@finnegan.com>; jingersoll@ycst.com <jingersoll@ycst.com>; john.williamson@finnegan.com <jshaw@ycst.com>; jshaw@ycst.com <jshaw@ycst.com>; lpelizoti@mnat.com <lpelizoti@mnat.com>; lpopovski@kenyon.com <lpopovski@kenyon.com>; mcarniaux@kenyon.com <mcarniaux@kenyon.com>; mgabriel@kenyon.com <mgabriel@kenyon.com>; mhannemann@kenyon.com <mhannemann@kenyon.com>; msquire@ycst.com <msquire@ycst.com>; nichelle.randolph@finnegan.com <nichelle.randolph@finnegan.com>; pedro.suarez@finnegan.com <pedro.suarez@finnegan.com>; ron.myrick@finnegan.com <ron.myrick@finnegan.com>; Mayergoyz, Sasha (CH); smithr@finnegan.com <smithr@finnegan.com>; ssinder@kenyon.com <ssinder@kenyon.com>; steven.anzalone@finnegan.com <steven.anzalone@finnegan.com>; Cherny, Steven (NY); TLydon <tlydon@ashby-geddes.com>; vamsi.kakarla@finnegan.com <vamsi.kakarla@finnegan.com>; york.faulkner@finnegan.com <york.faulkner@finnegan.com>; jessica.davis@weil.com <jessica.davis@weil.com>; matthew.powers@weil.com <matthew.powers@weil.com>; ryan.owens@weil.com <ryan.owens@weil.com>; sonal.mehta@weil.com <sonal.mehta@weil.com>

Sent: Fri Jun 23 18:47:49 2006

Subject: RE: Telcordia cases

Good afternoon Ed. As you were the only defendant to respond to my email, I called Judge Sleet's chambers at about 3:30 pm to seek guidance on how to present Telcordia's proposal to the Court given the tight time frame we are facing. Because of the time constraints, Judge Sleet's secretary instructed me to file a motion presenting Telcordia's proposal at my earliest convenience, and told me that his staff would bring it to his attention as soon as possible. That was why we filed the motion. As for your remaining questions, Telcordia's proposal is reflected in the motion; we are seeking a one-week extension for all reports.

Thanks,

John

From: edward.reines@weil.com [mailto:edward.reines@weil.com]

Sent: Friday, June 23, 2006 6:09 PM

To: JDay

Cc: anemiroff@kenyon.com; apoff@ycst.com; bherishkowitz@kenyon.com; cnaples@kenyon.com; david.farnum@lw.com; david.nelson@lw.com; don.burley@finnegan.com; don.dunner@finnegan.com; etse@kenyon.com; geoff.mason@finnegan.com; griff.price@finnegan.com; houtan.esfahani@finnegan.com; james.hammond@finnegan.com; jblumenfeld@mnat.com; JDay; jim.wilson@finnegan.com; jingersoll@ycst.com; john.williamson@finnegan.com; jshaw@ycst.com; lpelizoti@mnat.com; lpopovski@kenyon.com; mcarniaux@kenyon.com; mgabriel@kenyon.com; mhannemann@kenyon.com; msquire@ycst.com; nichelle.randolph@finnegan.com; pedro.suarez@finnegan.com; ron.myrick@finnegan.com; sasha.mayergoyz@lw.com; smithr@finnegan.com;

6/26/2006

ssinder@kenyon.com; steven.anzalone@finnegan.com;
steven.cherny@lw.com; TLydon; vamsi.kakarla@finnegan.com;
york.faulkner@finnegan.com; jessica.davis@weil.com;
matthew.powers@weil.com; ryan.owens@weil.com; sonal.mehta@weil.com
Subject: Fw: Telcordia cases

John,

Earlier today we sought some answers concerning your request for a third extension of the expert report deadline. Because your initial email implied that you were going to contact the Court informally at (3 pm ET) after you met and conferred with defendants and because you instead filed a motion, it is not clear what transpired. Thus, we have the following questions:

1. Will Telcordia accept anything less than a week extension?
2. Is Telcordia insistent on an extension for all the reports it plans to file?
3. How many and what kind of reports is Telcordia planning to submit to support its burdens of proof?
4. Did Telcordia contact the Court informally and, if so, what happened?

Please respond as soon as possible. Also, note that, absent Court order, we plan to meet the expert report deadline. It would be unfair and improper for Telcordia to ignore the current deadline and "grant" its own motion to change the schedule. We reserve all rights in that regard.

Best,

Ed

----- Forwarded by Edward Reines/SV/WGM/US on 06/23/2006 02:55 PM

Edward Reines/SV/WGM/US

06/23/2006 11:36 AM

To

jday@ashby-geddes.com

cc

anemiroff@kenyon.com, apoff@ycst.com, bherishkowitz@kenyon.com,
cnaples@kenyon.com, david.farnum@lw.com, david.nelson@lw.com,
don.burley@finnegan.com, don.dunner@finnegan.com, etse@kenyon.com,
geoff.mason@finnegan.com, griff.price@finnegan.com,
houtan.esfahani@finnegan.com, james.hammond@finnegan.com,
jblumenfeld@mnat.com, jday@ashby-geddes.com, jim.wilson@finnegan.com,
jingersoll@ycst.com, john.williamson@finnegan.com, jshaw@ycst.com,
lpolizoti@mnat.com, lpopovski@kenyon.com, mcarniaux@kenyon.com,
mgabriel@kenyon.com, mhannemann@kenyon.com, msquire@ycst.com,
nichelle.randolph@finnegan.com, pedro.suarez@finnegan.com,
ron.myrick@finnegan.com, sasha.mayergoyz@lw.com, smithr@finnegan.com,
ssinder@kenyon.com, steven.anzalone@finnegan.com,
steven.cherny@lw.com, tlydon@ashby-geddes.com,
vamsi.kakarla@finnegan.com, york.faulkner@finnegan.com,
jessica.davis@weil.com, matthew.powers@weil.com, ryan.owens@weil.com,

6/26/2006

sonal.mehta@weil.com

Subject

Re: FW: Telcordia casesLink

<Notes:///88256CE0006C6E3C/DABA975B9FB113EB852564B5001283EA/387F2E8EC51A2D5B852571960055CF0A>

John,

As you know, Defendants have already squeezed two weeks out of the schedule in the prior two extensions of the expert report deadline. Moreover, Telcordia has been aware of the claim constructions which have now been adopted by Judge Sleet so most of what needs to be done is simply to remove opinions relating to the rejected claim constructions.

Against that background, for us to seriously consider your proposal, we need to know which reports you believe truly warrant an extension. We do not see why a damages report would justify an extension, although that appears to be part of what you are seeking. Indeed, we need to know how many reports you plan to serve so we can assess how much we will have to react to in the limited time we have (which you propose to compress further). In addition, we are uncomfortable with a week extension given the already tight schedule and given our belief that there is no need for that much additional time for your reports. Please let us know asap how fast you think you can be ready to serve your reports so we can consider a more balanced request for an extension.

Best,

Ed

"JDay" <jday@ashby-geddes.com>

06/23/2006 08:36 AM

To

<jingersoll@ycst.com>, <apoff@ycst.com>, <msquire@ycst.com>, <ssinder@kenyon.com>, <bhershkowitz@kenyon.com>, <cnaples@kenyon.com>, <mhannemann@kenyon.com>, <mcarniaux@kenyon.com>, <mgabriel@kenyon.com>, <etse@kenyon.com>, <anemiroff@kenyon.com>, <lpopovski@kenyon.com>, <jshaw@ycst.com>, <steven.cherny@lw.com>, <david.nelson@lw.com>, <sasha.mayergoyz@lw.com>, <david.farnum@lw.com>, <jblumenfeld@mnat.com>, <lpolizoti@mnat.com>, <matthew.powers@weil.com>, <edward.reines@weil.com>, <sonal.mehta@weil.com>, <ryan.owens@weil.com>, <jessica.davis@weil.com>, <don.dunner@finnegan.com>, <don.burley@finnegan.com>, <smithr@finnegan.com>, <york.faulkner@finnegan.com>, <jim.wilson@finnegan.com>, <houtan.esfahani@finnegan.com>, <john.williamson@finnegan.com>, <ron.myrick@finnegan.com>, <geoff.mason@finnegan.com>, <steven.anzalone@finnegan.com>, <pedro.suarez@finnegan.com>, <griff.price@finnegan.com>, <james.hammond@finnegan.com>, <nichelle.randolph@finnegan.com>, <vamsi.kakarla@finnegan.com>, "JDay"

6/26/2006

<jday@ashby-geddes.com>, "TLydon" <tlydon@ashby-geddes.com>
cc

Subject
FW: Telcordia cases

Please forgive the duplicative message if this is the second time you received it. I failed to use the updated email list when I sent my previous meesage.

Thanks,

John

From: JDay
Sent: Friday, June 23, 2006 11:27 AM
To: 'jingersoll@ycst.com'; 'ssinder@kenyon.com';
'bhershkowitz@kenyon.com'; 'cnaples@kenyon.com';
'mhannemann@kenyon.com'; 'mcarniaux@kenyon.com';
'mgabriel@kenyon.com'; 'etse@kenyon.com'; 'skolassa@kenyon.com';
'anemiroff@kenyon.com'; 'jshaw@ycst.com'; 'gmandalas@ycst.com';
'steven.cherny@lw.com'; 'david.nelson@lw.com';
'sasha.mayergoyz@lw.com'; 'jblumenfeld@mnat.com';
'matthew.powers@weil.com'; 'edward.reines@weil.com';
'sonal.mehta@weil.com'; 'ryan.owens@weil.com';
'jessica.davis@weil.com'; 'don.dunner@finnegan.com';
'don.burley@finnegan.com'; 'rsmith@finnegan.com';
'york.faulkner@finnegan.com'; 'richard.rainey@finnegan.com';
'jim.wilson@finnegan.com'; 'houtan.esfahani@finnegan.com';
'john.williamson@finnegan.com'; 'nichelle.randolph@finnegan.com'
Cc: SBalick; TLydon
Subject: Telcordia cases

Good morning. In order to afford the parties' experts the opportunity to review and digest the Court's June 22nd claim construction decision before submitting their opening expert reports (which currently are due on Monday), Telcordia proposes that the parties stipulate to a one-week extension of the due date for such reports. Would you please let me know whether your client is amenable to such an extension at your earliest convenience? We'd like to advise the Court by 3:00 pm (Eastern) today.

Thanks,

John

< END >

< END >

6/26/2006

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by email (postmaster@weil.com), and destroy the original message. Thank you

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

For more information please go to http://www.lw.com/resource/Publications/_pdf/pub1289_1.pdf

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Latham & Watkins LLP